REMARKS/ARGUMENTS

Reconsideration of this Application and entry of this Response after Final are respectfully requested.

In view of the following remarks, favorable consideration and allowance of the application is respectfully requested.

The Office Action rejects claims 1-7 under 35 U.S.C. 102(e) as being anticipated by Kveen et al. (U.S. Patent No. 6,478,816). This rejection is traversed.

Present claims 1-7 require, inter alia, "a longitudinal link connecting [a] first circumferential ring to [a] second circumferential ring; and an intermediate circumferential ring disposed between said first main circumferential ring and said second circumferential ring...wherein said intermediate circumferential ring is connected to said longitidinal link..." (excerpt of claim 1, emphasis added) or "main circumferential rings and ...longitudinal links, each longitudinal link connecting adjacent main circumferential rings, and ...intermediate circumferential rings, ...[each including] peaks, troughs, and a mid band region between each peak and trough, wherein each intermediate circumferential ring is attached to at least one longitudinal link at one of the mid band regions of the corresponding intermediate circumferential ring" (excerpt of claim 5).

The Office Action asserts that Kveen et al. teach "a longitudinal link (includes two links 132) connecting said first main circumferential ring to said second circumferential ring" (page 4, lines 12-13 of the Office Action).

However, Kveen et al. do not disclose any longitudinal link formed from two links 132. In particular, Kveen et al. specifically disclose that **"[l]inks 132 terminate in first 136 and second 140 shanks**." (column 5, lines 60-61, emphasis added).

It is clear from Kveen et al. FIG. 2 that the links 132 terminate in the first and second shanks opposite each other across an element 116 and thus do not form a longitudinal link. It is also clear that Kveen et al. did not intend for two links 132 to form a single longitudinal link. In particular Kveen et al. disclose that "[a]lthough first shank 136 and second shank 140 of links 132 are depicted in FIG. 2 as extending from regions substantially opposite each other on adjacent band-like elements, the regions need not be substantially opposite one another but rather, may be displaced relative to one another on their respective band-like elements" (column 7, lines 3-8).

Thus, claimed elements of present claims 1-7, including **a longitudinal link** connecting a first circumferential ring to a second circumferential ring; and an intermediate circumferential ring disposed between said first main circumferential ring and said second circumferential ring and connected to said longutidinal link, are missing from Kveen et al. As claimed elements of present claims 1-7 are missing from Kveen et al., it is respectfully submitted that claims 1-7 cannot be anticipated by Kveen et al.

For at least the above reasons, reconsideration and withdrawal of the rejection of claims 1-7 under 35 U.S.C. 102(e) are respectively requested.

The Office Action rejects claims 10-14 under 35 U.S.C. 102(b) as being anticipated by Penn et al. (U.S. Patent No. 6,217,608). This rejection is traversed.

Present claims 10-14 require, inter alia, main circumferential rings, longitudinal links, each longitudinal link connecting adjacent main circumferential rings; and intermediate circumferential rings, each intermediate circumferential ring connected to at least one longitudinal link, the intermediate circumferential rings having a different band length than that of the main circumferential ring (see claim 10).

Penn et al. disclose a "concave-shaped wall 750...modified to have a flat apex 754 having a pair of rounded shoulders 767, 768. Further a strut 770 has been added to connect to connect flat apex 764 of convex-shaped wall 760. Further, side walls 735, 740 have been modified to include a sinusoidal (or S-shaped) portion 736, 741, respectively, adjacent convex-shaped wall 760. Further, strut 770 has been modified to include a sinusoidal (or S-shaped) portion 771 adjacent flat apex of concave-shaped wall 750" (column 10, lines 3-16).

Thus, strut 770 is adjacent convex-shaped wall 760 and adjacent to convex-shaped wall 750. The strut 770, being adjacent the respective convex-shaped walls, thus cannot go through the convex-shaped walls.

Thus, the strut (or asserted "longitudinal link (770, 771, 741))" only connects an asserted "first main circumferential ring...750" and an asserted "intermediate circumferential ring (generally 760)". No main circumferential rings are connected by a longitudinal link, as required by present claim 10-14.

Additionally, as Applicant explained in his previous response, Penn et al., which states that Figures 2 through 10 are not drawn to scale, does not disclose the relative size of the two patterns of circumferential rings, and therefore does not anticipate claims 10-14.

The Examiner "requests that applicant give the supporting MPEP cite supporting this argument" (see the first paragraph on page 2 of the Office Action). Applicant believes that MPEP section 2125 is the citation the examiner is requesting. In particular, MPEP 2125 states that "**PROPORTIONS OF FEATURES IN A DRAWING ARE NOT EVIDENCE OF ACTUAL PROPORTIONS WHEN DRAWINGS ARE NOT TO SCALE**" (emphasis and capitalization in original). This MPEP section also states that "[w]hen the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value."

Thus, for at least the above reasons Applicant respectfully submits that the invention of present claims 10-14 is not anticipated by Penn et al. Reconsideration and withdrawal of the rejection of claims 10-14 under 35 U.S.C. 102(b) are respectively requested.

The Office Action also rejects claims 8-9 under 35 U.S.C. 103(a) as being obvious over Kveen et al. in view of Penn et al. This rejection is traversed.

Claims 8-9 are patentable for at least the same reasons discussed above for claim 5, from which both claims 8 and 9 depend. Additionally, claim 8 requires that the "main circumferential ring width is different than said intermediate circumferential ring width" and claim 9 further requires that the "main circumferential ring width is larger than said intermediate circumferential ring width."

As discussed above, Penn et al., which states that Figures 2 through 10 are not drawn to scale, does not disclose the relative size of the rings. As Kveen et al. also nowhere teaches or suggests the relative sizes of the rings, it is respectfully submitted that the combination of Penn et al. and Kveen et al. is missing this requirement of present claims 8-9. Thus, it is further respectfully submitted that the invention of present claims 8-9 would not have been obvious over this combination of references. Reconsideration and withdrawal of the rejection of claims 8-9 under 35 U.S.C. 103(a) are respectfully requested.

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-0221.

Respectfully submitted,

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